

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO R. DELRIO,

Defendant.

8:14CR378

ORDER

This matter is before the court on defendant's Motion to Dismiss his Motion to Vacate or Correct Sentence Under 28 U.S.C. § 2255, [Filing No. 52](#). The defendant also submitted a Consent to Voluntary Dismissal, [Filing No. 53](#). The motion will be granted.

IT IS ORDERED THAT:

1. The defendant's Motion to Dismiss his Motion to Vacate or Correct Sentence Under 28 U.S.C. § 2255, [Filing No. 52](#), is granted.
2. The Motion to Vacate or Correct Sentence Under 28 U.S.C. § 2255, [Filing No. 44](#), is dismissed.
3. The hearing regarding the Motion to Vacate or Correct Sentence Under 28 U.S.C. § 2255 currently scheduled for April 3, 2017 is cancelled.

Dated this 22nd day of March, 2017.

BY THE COURT:

s/ Joseph F. Bataillon

Senior United States District Judge